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To: The Michigan House Agriculture Committee  
From: Connie R. Gale 517-547-3271 and fax 547-6199 *Connie R. Gale*  
Re: House Bill 5714

Background: The Agriculture Committee is taking up House Bills 5711-5716, unchanged, yet again. Citizen comments set forth below:

What is the reality of an Unverified Complaint:

Scenario One: Citizen calls on the state toll free line to report environmental incidences; The person responding to the call asks the citizen what he/she has observed and the location; for example, the description could include color, texture or smell in a waterway which seems unusual; the responder indicates it will be looked into; end of conversation; end of feedback; end of information from the state.

This call is then referred to the DEQ and the MDA which decide whether the communication will be handled as a complaint, under which law, and investigated by which agency. More than likely, if the perpetrator has been identified or there is a possible perpetrator, the perpetrator will be given prior notice of any follow up investigation: typically with sufficient time to alter the behavior and rectify the incidence, which would include changing the evidence. OBVIOUS - OBVIOUS - OBVIOUS

"Verification" Process: Don't do anything!!  
Prior notice to perpetrator before any follow-up on citizen call  
Delay in investigation; days, weeks, months  
Don't bring testing equipment; don't test for the right chemicals  
Don't bring shoes adequate for traversing to testing site  
Don't arrive in time to have the samples tested promptly  
Don't know what doing; disinterested; incompetent; not trained  
Cover up for the perpetrator; alter evidence; overlook evidence; don't ask questions; make false assumptions  
Scared to investigate; back off from the investigation  
Don't want to walk to testing site; don't want to drive to testing site; bad weather; requires climbing; too far away from the road; too late in the day to walk around  
Called on a weekend; no babysitter; out shopping; bring the children along; test labs not open; unavailable  
Political, lobbying groups, other "interested" parties get involved; don't find anything!  
If find something, have to stay late in office, fill out forms, more job stress, not supposed to find anything, back off!

Can't wait until I retire; don't rock the boat; won't follow up until have a change in governor; won't follow up until budget approved  
Have bigger issues than this! Not paid enough! Insufficient staffing!  
Personnel issues - I hate my job! I don't like my boss  
If talk with complainant who actually tested the water, ask if he/she washes his/her hands after going to the bathroom, whether any dogs frolic in the polluted water, whether a duck, goose or raccoon was seen sliding around the place, whether there was runoff from other places far away, whether the complainant wore gloves when testing the water, whether the complainant used proper sampling bottles, blah blah (all the while not doing any analysis or testing!)  
You (the complainant) are the problem; you are an outsider; you are causing trouble; you should wait until the state finds the problem on its own!  
Avoid doing anything that would point to the problem - no audits, no record review, no plan review, no equipment review, don't take any information along with you on the inspection, just walk around with the farmer and commiserate with each other.

Complaint "unverified" - Big Surprise!

Scenario Two: Citizen calls in similar observation; State follows up quickly, competently, and with the protection of the environment as the primary objective; highly unusual.

As contrasted with Scenario One, statistically, what is the chance here that the complaint is unverified?! In both scenarios, the citizen's only real involvement is the initial call! However, given three Scenario Ones, the citizen gets assessed the entire costs of any subsequent "investigation".

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